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REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116, and in light of the remarks which follow, are respectfully requested.

Claims 1 and 24 have been amended to indicate that the expandable chemical mixture consists essentially of the specified components. Claim 1 has also been amended to include the feature of canceled claim 23. Claims 1-3, 5-20 and 24 are currently pending in this application.

Claims 1-3, 5-20, 23 and 24 were finally rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,291,011 (Edlund) in view of U.S. Patent No. 4,902,722 (Melber) for the reasons set forth in paragraph (5) of the Office Action. Withdrawal of this rejection is requested in view of the above amendments and the following remarks.

Initially, Applicants respectfully request that the finality of the Office Action mailed September 9, 2005 be withdrawn. The rejection set forth in paragraph (5) of the Action is a new ground of rejection in which Edlund '011 is applied based on 35 U.S.C. §102(a) whereas the previous rejection in the Office Action mailed March 9, 2005 apparently applied this document under 35 U.S.C. §102(e). The new ground of rejection was not necessitated by any amendments made to the claims. Accordingly, the Office Action mailed September 9, 2005 was improperly made final and the finality thereof should be withdrawn.

Turning to the §103(a) rejection, it is clear from a review of Edlund '011 that the dual coated wallcovering disclosed therein is designed to be painted by the consumer to provide a finished decorative effect. Note column 2, lines 11-12 and 20-21, column 4, lines 25-26 and 31-35, and Figures 3(A-C) which are described in column 4, lines 23-25. Thus, the entire

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surface of the designed wallcovering disclosed in Edlund '011 is ultimately painted to provide the desired decorative image.

Melber '722 relates to the use of pre-expanded microspheres in coating compositions intended to provide a decorative effect. In stark contrast to the presently claimed invention which applies expandable chemicals, Melber '722 expands the microspheres before adding them to the coating compositions. In this respect, note Melber '722 in column 2, lines 63-66 (incorporating into a graphic arts medium, pre-expanded nonfriable microspheres); column 4, penultimate line to column 5, line 1 (uses pre-expanded rather than expandable spheres); column 5, lines 48-50 (microspheres incorporated in fully expanded form); column 6, lines 21-25 (pre-expanded microspheres will not undergo any further deformation).

Moreover, Applicants respectfully submit that there is no disclosure in the cited documents which would have motivated those of ordinary skill in the art to modify the invention of Edlund '011 in accordance with the disclosure in Melber '722. The dual coated wallcoverings in Edlund '011 are ultimately painted by the consumer with a third layer to provide the desired decorative effect. In contrast, the syntactic foam compositions of Melber '722 are applied to substrates which do not have any previous decorative layers. It is the foam layer which provides the three-dimensional decorative effect.

For a proper rejection under §103(a), there must be a reasonable expectation of success. One could not reasonably expect that modifying the dual coated wallcoverings of Edlund '011 by applying the design coatings of Melber '722 would successfully improve the properties and characteristics of the wallcoverings of Edlund '011.

The addition of the pre-foamed microspheres disclosed in Melber '722 to Applicants' coating compositions containing expandable chemicals would be detrimental to the desired properties of said coating compositions. Accordingly, claims 1 and 24 have been amended to

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add the language "consisting essentially of." This language excludes additives to the coating composition containing expandable chemicals which would "materially affect the basic and novel characteristics of the claimed invention" (MPEP §2111.03). Thus, the present claims exclude the presence of pre-expanded microspheres in the second image coating.

For at least the aforementioned reasons, the §103(a) rejection based on Edlund '011 in view of Melber '722 should be withdrawn. Such action is earnestly requested.

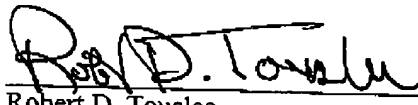
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

JOHNS MANVILLE

Date: _____

By: _____


Robert D. Touslee
Registration No. 34,032

P.O. Box 625005
Littleton, CO 80162
(303) 978 2000